



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB  
Item # 8  
5/9/02



## **MEMORANDUM**

**DATE:** May 2, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** Joe R. Davis, Chief *JRD*  
Development Review Division  
**FROM:** Wynn E. Witthans *WW*  
Planning Department Staff  
(301) 495-4584

**REVIEW TYPE:** Final Water Quality Plan and Site Plan Review  
**APPLYING FOR:** Approval of 487 dwelling units (153 SFD, 202 TH's and 132 multifamily units) inclusive of 46 MPDU's on 77.61 acres  
**PROJECT NAME:** Clarksburg Town Center Phase II  
**CASE #:** 8-02014  
**REVIEW BASIS:** Sec. 59-D-3, M. C. Zoning Ordinance

**ZONE:** RMX-2 Residential Mixed Use Center  
**LOCATION:** Southeast of the intersection of Piedmont Road and Clarksburg Road  
**MASTER PLAN:** Clarksburg Master Plan and Hyattstown Special Study Area, June 1994  
**APPLICANT:** Terrabrooke Clarksburg LLC, Jim Richmond, Contact  
**FILING DATE:** October 18, 2001  
**HEARING DATE:** May 9, 2002

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### **FINAL WATER QUALITY PLAN - STAFF RECOMMENDATION:**

Approval of Final Water Quality Plan including the Stormwater Management Concept with conditions as stated within the April ... , 2002 memo from MCDPS in Appendix; including waiver of Chapter 49-35 through 49-43 of the County Code "Closed Section Roads in the SPA" as noted in the above memo.

Conditions of approval for the FWQ SPA will be supplied when the memo is available.

(c) The Applicant will provide site grading, infield preparation and seeding of the replacement athletic fields on the approximately 8 acres of dedicated land at a time which insures that there will be no disruption in the continued use of the existing athletic fields prior to completion of the replacement athletic fields.

(i) In the event that dedication occurs when funds for the proposed school are shown in the CIP, Applicant will complete work on the replacement fields prior to the construction of the proposed school.

(ii) In the event that dedication occurs prior to funding for the school being shown in the CIP, then upon construction of Street "F", as shown on the revised preliminary plan, Applicant will commence work on replacement of the baseball field. In addition, if at Site Plan it is determined that there is sufficient earth material on site to construct both replacement fields, then Applicant will also rough grade and seed the replacement soccer field when construction of Street "F" begins. Area tabulations for the proposed park/school complexes to be submitted for technical staff review at Site Plan. Final grading plan for the park/school site to be submitted for technical staff approval as part of the Site Plan application.

- c. Applicant shall acknowledge that there is sufficient earth material on site to construct both fields and agrees to construct the two fields upon commencement of construction of Street "F" referenced in the Preliminary Plan approval, or prior to construction of the proposed elementary school, whichever occurs first.
- i. The exact location and orientation of the fields to be coordinated with M-NCPPC staff.
  - ii. The softball field to be full sized with foul lines of 290'.
  - iii. The soccer field to be full adult size with dimensions of 360' by 220'.
- d. Final details regarding the Park/School site shall be reviewed by staff and shall reflect the direction of the approved Preliminary Plan # 1-95042 and shall include input from the Parks Department, MCPS and the Applicant for the final design of the ball field and path layout, the metes and bounds survey of dedication prior to recordation, grading, access, storm water management facilities and any other issues as required.
- e. There shall be no disturbance (or activity to cause them to be unusable) of the existing fields within Kings Local Park until the new fields are constructed. (Note: The applicant acknowledges there is sufficient earth work to build both ball fields and will do so.)
- f. Applicant to construct paved hiker/biker trails in the following locations:

6. Waivers requested and previously approved:
  - Waiver of lots fronting on a public right-of-way Section 50-29-(A)(2) --(Staff recommends approval due to interconnecting grid of streets and it's limited use).
  - Waiver of closed section streets has been approved with the Project Plan.
7. Environment
  - a. Record plats to reflect delineation of a Category I Conservation easement that includes the stream/wetland buffers and forest conservation areas, as shown on the site plan, that are not part of the park dedication area.
  - b. Final erosion and sediment control plans shall be submitted to Environmental Planning staff for review and comment prior to approval by MCDPS.
  - c. The Final Forest Conservation Plan must be approved and bonded prior to issuance of the sediment and erosion control permit.
  - d. The outfall from Pond #3, and any other stormwater management facility or storm drain outfalls which extend into the environmental buffer, shall be field located by applicant's representative, MCDPS, and MNCPPC Environmental Planning staff prior to approval of the stormwater management/sediment control permits by MCDPS.
  - e. MNCPPC Environmental Planning staff shall review and approve detailed design plans for any wetland mitigation sites within the environmental buffers prior to issuance of sediment control permits or authorization to clear and grade any of these facilities.

## **Citizen Comments**

Staff has not received any comments regarding the proposed site plan at this time. The citizens remain concerned about dark sky issues and provision of bike paths in general.

## **Piedmont Road**

The right-of-way for Piedmont Road is a prescriptive right-of-way – never dedicated to public use but used as one for many years. The applicant has not yet perused the abandonment procedures required to take ownership of the road and develop it. The applicant will begin construction of the replacement to Piedmont Road - A-305, an arterial street that will connect in a loop around Clarksburg. Staff recommends that until the older prescriptive right-of-way has been abandoned and ownership of the land is taken over by the applicant, no building permits shall be released for construction of units that are affected by this alignment. The applicant has requested the ability to build units but not occupy them prior to the road abandonment. Both staff and the applicant agree that the applicant should be able to pursue site preparation activities prior to the abandonment.

## **Lighting and Landscaping**

The applicant has received approvals to use a new light fixture in section of the site that have been previously approved and are under construction. It is hoped that this and other applicants may be able to use this light fixture in future sections. Staff is in the process of reviewing the light fixture and determine situation for it its use. A draft Clarksburg Streetscape plan and a streetscape working group are current venues for these discussions.

VICINITY MAP FOR

# CLARKSBURG TOWN CENTER (8-02014)



Map compiled on October 16, 2001 at 11:41 PM | Site located on base sheet no - 233NW13

## NOTICE

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Key Map



N



Research & Technology Center



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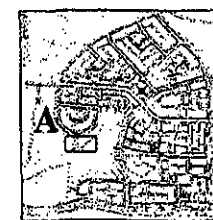
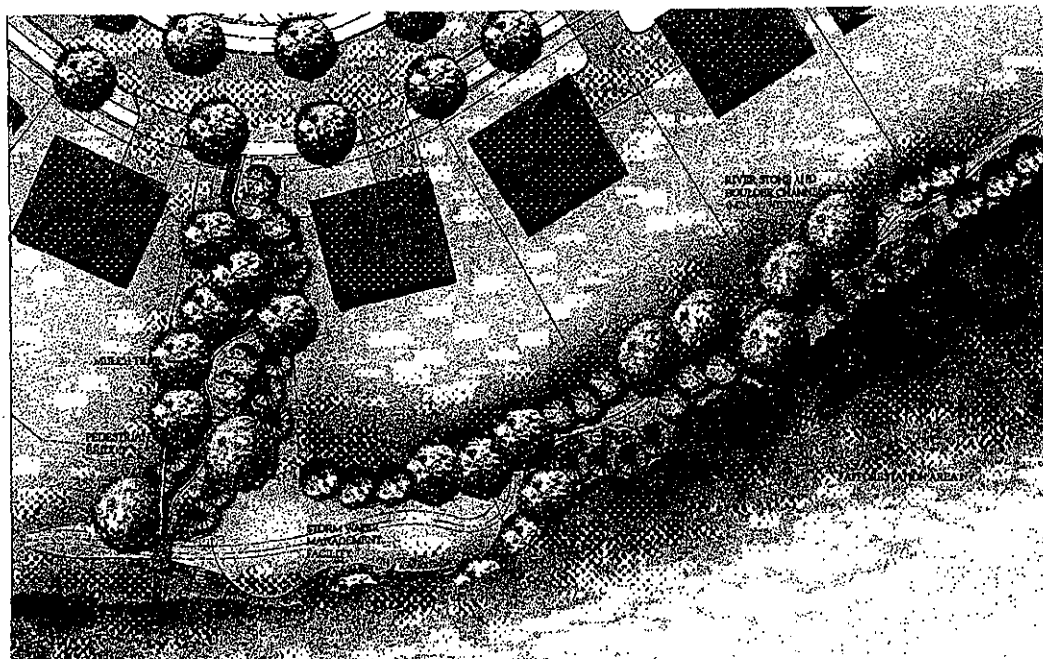
**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue - Silver Spring, Maryland 20910-5760

**PROJECT DESCRIPTION:**      Site Description

The site is a former agricultural field that includes rolling hills and is upland of the Little Seneca Stream Valley tributaries. There is vegetation (trees and other hedgerow growth) in the low lying areas but no significant growth in the field areas. Piedmont Road is currently defined as a prescriptive right-of-way, defined by common use but not dedicated to the public as a right-of-way. The former alignment of Piedmont Road cuts into the proposed development area and the road will be relocated as A-305 as determined with the earlier approved Preliminary Plan.

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401

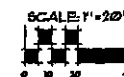


 LandDesign

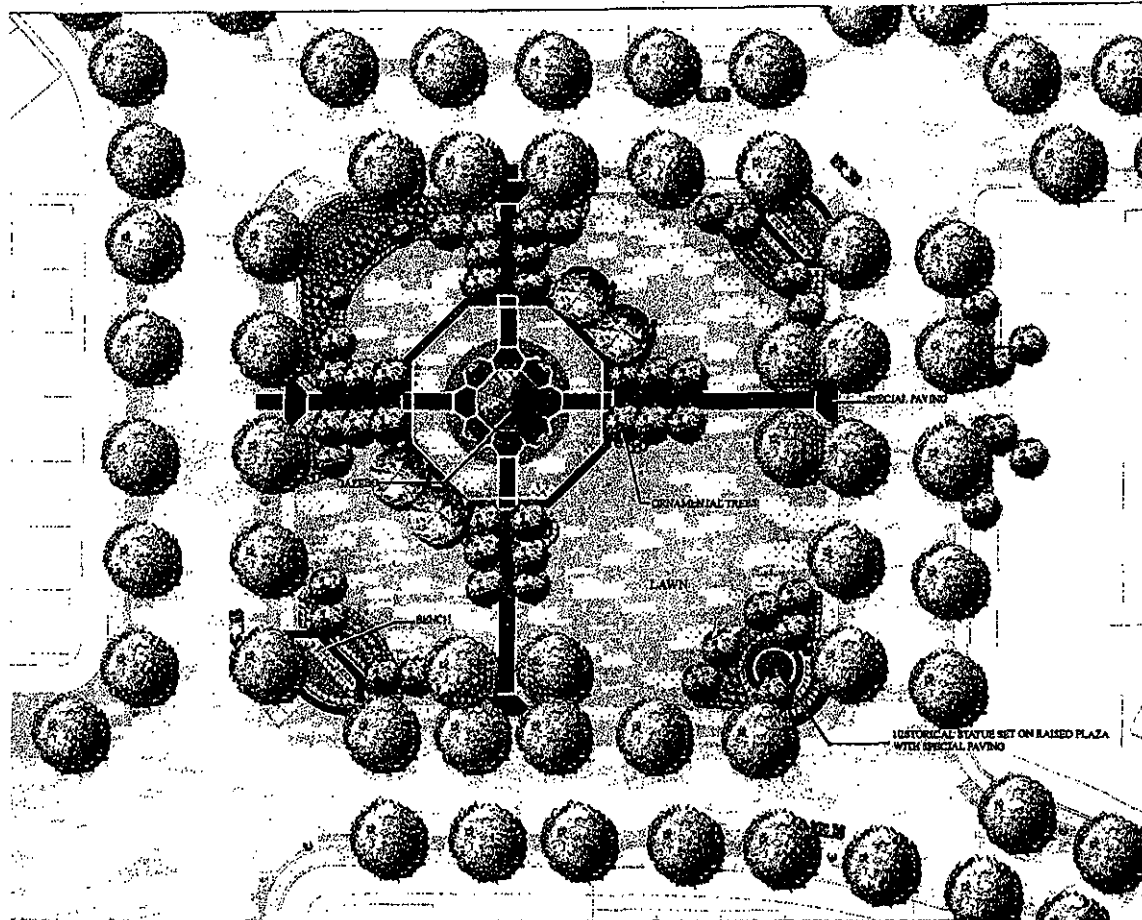
April 5, 2002 LDI #2000134

# CLARKSBURG

DRY STREAM BED



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**LandDesign**

# CLARKSBURG

SINEQUA SQUARE

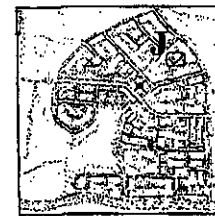
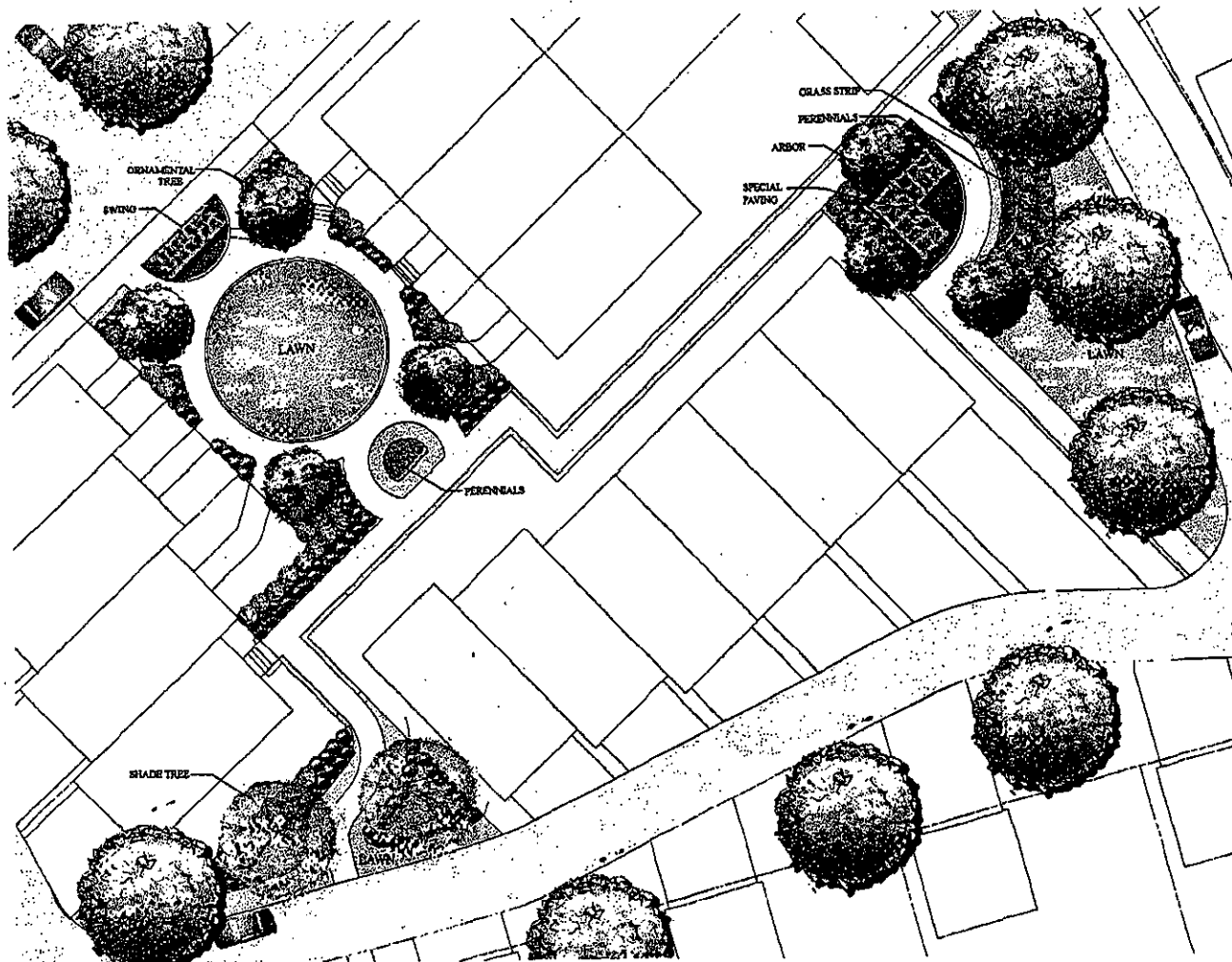


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April 5, 2002 LDI #2000134

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**LandDesign**

April 5, 2002 LDI #2000134

# CLARKSBURG

ARBOR AND SWING  
OPEN SPACE

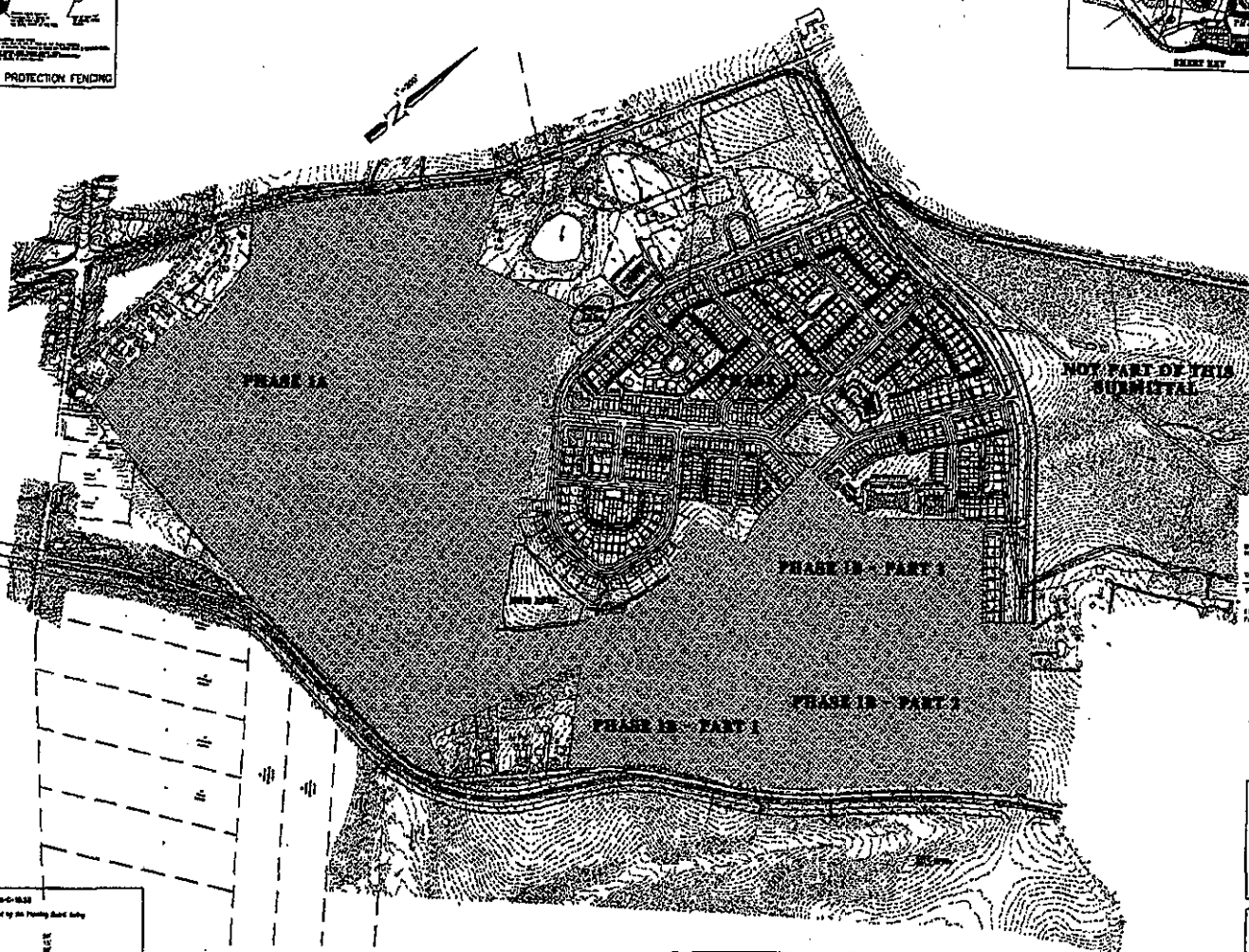
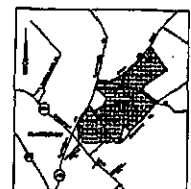
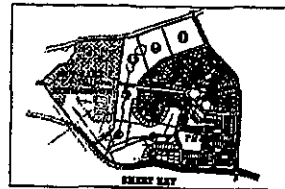
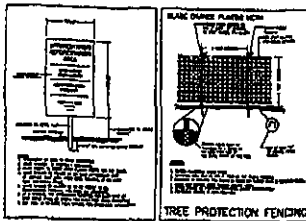


TERRABROOK

10-f

8-02014

B-02014



RECREATION FACILITIES WORKSHEET

Worksheet No. 10-1

Project No. 10-1

| RECREATION FACILITY | ACRES        | PERCENTAGE OF TOTAL | PERCENTAGE OF TOTAL | PERCENTAGE OF TOTAL | PERCENTAGE OF TOTAL |
|---------------------|--------------|---------------------|---------------------|---------------------|---------------------|
| Baseball Field      | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Soccer Field        | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Softball Field      | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Tennis Courts       | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Swimming Pool       | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Playground          | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Walking Paths       | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| Other               | 1.00         | 1.00                | 1.00                | 1.00                | 1.00                |
| <b>TOTAL</b>        | <b>10.00</b> | <b>10.00</b>        | <b>10.00</b>        | <b>10.00</b>        | <b>10.00</b>        |

PHASE 1B - PART 1

| Item     | Quantity | Unit    | Price | Total     |
|----------|----------|---------|-------|-----------|
| Grass    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Gravel   | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Asphalt  | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Concrete | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Steel    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Brick    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Other    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |

M.H.C.P.C. APPROVALS

| Item     | Quantity | Unit    | Price | Total     |
|----------|----------|---------|-------|-----------|
| Grass    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Gravel   | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Asphalt  | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Concrete | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Steel    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Brick    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Other    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |

PHASE 1B - PART 2

| Item     | Quantity | Unit    | Price | Total     |
|----------|----------|---------|-------|-----------|
| Grass    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Gravel   | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Asphalt  | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Concrete | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Steel    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Brick    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |
| Other    | 100,000  | Sq. Yd. | 0.10  | 10,000.00 |

LANDSCAPE ARCHITECT

I HEREBY CERTIFY THAT THE RECREATION FACILITIES SHOWN ON THIS PLAN ARE THE PROPERTY OF THE TOWN OF CLARKSBURG, MONTGOMERY COUNTY, MARYLAND.

RECREATION FACILITIES

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# CLARKSBURG TOWN CENTER

**RECEIVED**  
MAY 2 2002

DEVELOPMENT REVIEW

**EE**  
212 MPDU's  
FUTURE  
MULTI-FAMILY  
AREA

**66**  
212 MPDU's  
FUTURE  
MULTI-FAMILY  
AREA

222 MPDU's  
FUTURE  
COMMERCIAL/RESIDENTIAL  
AREA

10-j

| MPDU's LEGEND                  |             |
|--------------------------------|-------------|
| OVERALL NUMBER OF UNITS = 1300 |             |
| UNIT TYPE                      | TOTAL UNITS |
| 18' WIDE TOWNHOMES             | 60          |
| MAJOR HOMES (3 UNITS)          | 18          |
| MULTI-FAMILY (3 UNITS)         | 9           |
| MULTI-FAMILY (4 UNITS)         | 12          |
| RENTAL APARTMENTS              | 64          |
| TOTAL # MPDU UNITS             | 163         |

PERCENTAGE OF MPDU/MAXIMUM # OF UNITS = 12.5%

## MPDU LOCATION PLAN

**CPI** Charles P. Johnson & Associates, Inc.  
PLANNING - DESIGN - LANDSCAPE ARCHITECTURE - SERVICES  
4000 HILL STREET, SUITE 200, BETHESDA, MARYLAND 20814  
APRIL 2002  
DWG: 80-06

8-2204

behind the units. Parallel parking is provided on all the public streets, where feasible, providing for visitor parking and extra resident parking.

**PRELIMINARY PLAN # 1-95042****SITE PLAN RESPONSE**

|   |  |
|---|--|
| 1. Density limited to 1,300 du; 150,000 sf of retail and 100,000 of office; Tran Memo of 9/26/95; record plat phasing sched | Site Plans conform; per earlier record plat phasing approval                                 |
| 2. FCP conformance  | Per each site plan review and approval   |
| 3. Commercial area pond outside stream buffer   | Per Phase I approval   |
| 4. Ag areas out of production   | Prior to Phase I construction  |
| 5. Road dedications   | As recorded  |
| 6. Dedication of Park School site with detailed provisions  | Per Phase II site Plan - see discussion above in Issues Resolved During Site Plan Review     |
| 7. Applicant to enter into agreement to grades, etc ball fields   | Per Phase II Site Plan   |
| 8. Record Plats to delineate conservation areas   | Per Phase I and II record plats  |
| 9. No clearing or grading prior to SP approval  | Borrow and storage areas approved by Planning Board at time of record plat phasing revisions |
| 10. Final # and loc. of units at time of SP   | Adjustments made as needed   |
| 11. Access and improvements as required   | Per site plan per phasing plan   |
| 12. Conditions of MCDEP Memo of 7/28/95   | Addressed in the FWQ Plan  |
| 13. Final # on MPDU's to be determined with site plan   | Phasing schedule to be provided to Planning Board  |
| 14. Prelim Plan approval tied to Proj Plan  | Site Plans follow conditions as determined   |
| 15. Other necessary easements   | As required  |
| 16. Building Permit Schedule  | SPEA to include  |
| 17. Validity Period   | Site Plans Conform   |

# Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

Silver Spring, MD

Frederick, MD

Fairfax, VA

# CPI

Associates

May 02, 2002

Wynn Withans  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, MD

Re: Clarksburg Town Center  
Phase II  
8-02014

Dear Mrs. Withans,

On behalf of our client, Terrabrook we are requesting a waiver for lots fronting on a public right of way as required by the zoning ordinance. The lots in question are 39 and 40 Block N (as shown on our site plan) and they have access to both a private drive and private alley. It is our understanding that Montgomery Count DPS is requiring us to change the road in front of these units from a public to a private street, therefore creating this condition.

Thank you for your consideration in this matter.

Sincerely,

  
Lesley W. Powell

LWP/grw

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2. The exact location and orientation of the fields to be coordinated with M-NCPPC staff.
3. The softball field to be full sized with foul lines of 290 feet.
4. The soccer field to be full adult size with dimensions of 360' by 220'."

- Applicant to construct paved hiker/biker trails in the following locations:

- a. Along the east side of Overlook Park Drive from Stringtown Road to Clarksburg Road (Route 121). This trail will be aligned to meet the Clarksburg Greenway Trail from the south side of Stringtown Road.
- b. From the Clarksburg Greenway Trail along Overlook Park Drive to the Kings Local Park pond trails (two connections to the pond trail).
- c. Along the south side of Clarksburg Road from the pond area trails to the intersection with Piedmont.
- d. Along the south side of Piedmont from Clarksburg Road to Street "F".
- e. Along the west side of Street "F" from Piedmont to Main Street and continuing along Main Street to the Greenway Trail along Overlook Park Drive.

Trails are to be constructed to park standards. Exact trail alignments and widths to be coordinated with M-NCPPC and DPWT staff, and should be appropriately located and landscaped to maintain a park like setting while also fulfilling the need for safe, off road transportation in the area.

|  |     |                |
|--|-----|----------------|
| Total @ 2/du for TH & MF<br>(SFD pkg provided on lots) | 668 | 668            |
|  |     | 264 off street |
|  |     | 404 Garage     |
| Standard   | 654 | 654            |
| Handicapped-accessible                                 | 14  | 14             |
| (On street parking not included)                       |     |                |

\* The Planning Board reviewed this setback during the Project Plan review and found that no setback is necessary per the approved Master Plan.

#### **MPDU CALCULATIONS:**

MPDUs required : 163 (12.5% of 1,300 units)  
 MPDUs provided: Phase I: 96 Phase II: 45 Subtotal: 141 MPDU's for  
 1,231 units or 11.45 %

With the approval of this Phase II Site Plan, the MPDU provision is slightly behind the number of units approved. To balance out the number of MPDU's with the number of units approved, a portion of units within Phase I are proposed to be delayed in construction. These 150 (approximately) units are identified as Block EE and GG on the MPDU Phasing Plan of May 2, 2002. These blocks are intended to be revised by the applicant in the future and returned to the Planning Board for re-approval. When the final section of Phase III retail and the residential and the revised Phase I residential uses are reviewed by the Planning Board the full measure of MPDU's will be supplied to the project.



# RECREATION FACILITIES WORKSHEET

Clarksburg Town Center  
Phases 1B1, 1B2, 1B3 & 2

## DEMAND POINTS PER POPULATION CATEGORY

| HOUSING TYPE        |            | D1           | D2           | D3           | D4             | D4          |
|---------------------|------------|--------------|--------------|--------------|----------------|-------------|
| S.F. III            | 229        | 32.1         | 43.5         | 41.2         | 295.4          | 16.0        |
| Townhouses          | 476        | 80.9         | 104.7        | 85.7         | 614.0          | 33.3        |
| Garden/Multi-Family | 230        | 25.3         | 32.2         | 27.6         | 271.4          | 36.8        |
| <b>TOTAL DEMAND</b> | <b>935</b> | <b>138.3</b> | <b>180.4</b> | <b>154.5</b> | <b>1,180.8</b> | <b>86.1</b> |

## SUPPLY POINTS PER FACILITY

| FACILITY        |      | D2           | D3           | D4           | D5             |              |
|-----------------|------|--------------|--------------|--------------|----------------|--------------|
| Seating Areas   | (31) | 31.0         | 31.0         | 46.5         | 155.0          | 62.0         |
| Multi-Age Play  | (3)  | 27.0         | 33.0         | 9.0          | 21.0           | 3.0          |
| Tot Lot         | (2)  | 18.0         | 4.0          | 0.0          | 8.0            | 2.0          |
| Open Play II    | (2)  | 12.0         | 18.0         | 24.0         | 60.0           | 4.0          |
| Swimming Pool   | (1)  | 7.4          | 35.9         | 30.8         | 287.5          | 12.7         |
| Wading Pool     | (1)  | 20.1         | 8.8          | 0.0          | 57.5           | 4.2          |
| Community Space | (1)  | 13.4         | 26.3         | 45.1         | 345.0          | 33.8         |
| Indoor Fitness  | (1)  | 0.0          | 17.5         | 15.0         | 230.0          | 12.7         |
| Soccer Field    | (1)  | 2.0          | 15.0         | 20.0         | 40.0           | 2.0          |
| Baseball Field  | (1)  | 2.0          | 15.0         | 20.0         | 40.0           | 2.0          |
| Nature Trail    |      | 6.7          | 17.5         | 22.5         | 172.5          | 12.7         |
| Nature Area     |      | 0.0          | 8.8          | 15.0         | 115.0          | 4.2          |
| Bike System     |      | 6.7          | 17.5         | 22.5         | 172.5          | 8.4          |
| Pedestrian      |      | 13.4         | 35.0         | 22.5         | 517.5          | 38.0         |
| <b>TOTALS</b>   |      | <b>159.7</b> | <b>283.3</b> | <b>292.9</b> | <b>2,221.5</b> | <b>201.7</b> |

## Stormwater Management

Stormwater management is provided by several on-site water quantity and quality facilities which have been required as part of the review and approval of the SPA Water Quality Plan. Water quality control will be provided by an extensive series of Best Management Practices (BMP's) including; sand filters, bioretention, clean water recharge; and grass swales. These facilities are linked together with the quantity control facilities that consist of two dry ponds. A portion of Phase II also drains to the wet pond that was approved in the Phase I site plan. The linked stormwater management facilities provide extraordinary and redundant stormwater management controls.

## Noise

Significant noise impact affecting exposed rear yards of houses along A-305 have been mitigated to the extent feasible by noise fencing. Interior noise levels within all of the units along this roadway will be addressed by appropriate building design and construction.

### c. Landscaping and Lighting

Landscape design for the project includes regularly space street trees, foundation planting, open area buffer planting and alley planting. The landscaping on the site creates attractive street to encourage walking and it creates an attractive setting for the units. The public open spaces (play and sitting areas, the central open space) are developed with extensive landscaped areas and each garden has a design theme to enhance its character.

Lighting for the plan includes a new light fixture – the Hagerstown fixture- has been approved on a pilot basis in other section of Clarksburg. The light fixture is consistent with use in residential area and darks sky concerns. Staff supports the applicant's desire to gain approvals from DPS to use this fixture throughout the project. The alleys will include individual light fixtures on each garage to maintain low levels of light.

### d. Recreation

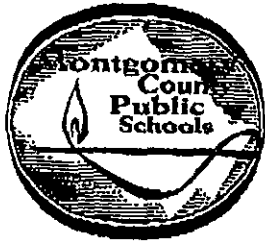
Recreation demand is satisfied as shown in the recreation calculations table above.

### e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides a grid for an interconnected vehicular system.

## **APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

1. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:
    - 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
    - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
    - 6) Coordination of each section of the development and roads.
    - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
  - b. Site Plan Enforcement Agreement to reference applicable road construction phasing and park/school agreements.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
  - a. Undisturbed stream buffers at least 150 to 240 feet wide as shown on the site plan.
  - b. Limits of disturbance.
  - c. Methods and locations of tree protection.
  - d. Forest Conservation areas.
  - e. Location of stormwater facility and storm drain outfalls away from forest preservation or other environmentally sensitive areas.
  - f. Conditions of DPS Final Water Quality and Stormwater Management Concept approval letter.



850 Hungerford Drive \* Rockville, Maryland \* 20850-1747  
Telephone (301) 279-3425

May 2, 2002

Mr. Arthur Holmes Jr., Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Dear Mr. Holmes:

Re: Clarksburg Town Center – Site Plan 8-02014 Phase 2

This is to comment on the referenced site plan as it concerns the future elementary school that is to be dedicated to the Board of Education.

We appreciate the recent efforts of M-NCPPC staff and the developer to address our concerns of storm water management, forestation and grading. The developer has agreed to enlarge the storm water management facility to serve the school and configure the property lines to separate it from the future school site. Forestation areas are to be provided off site by the developer. The developer has also agreed, and M-NCPPC concurred, that grading near the existing pond will be modified to provide more buildable area on the school site.

However, we are still concerned about the extensive grading that will be required to make the site a buildable one. Our concerns focus on two grading areas, the adjacent ballfields and the school site itself.

#### Adjacent ballfields

Current plans call for the construction of two ballfields that will be dedicated to the M-NCPPC. Plans call for a ten-foot grade difference between these fields and the school property, necessitating the construction of a retaining wall. Montgomery County Public Schools requests that as a condition of the site plan approval, the applicant be required to re-configure the ballfields, locating them further from the school property line, or if this is not feasible, construct an adequate retaining wall to accommodate the difference in grade.

#### Grading of school site

In developing Terrabrook, the final grades are such that in order to build the school, including the playgrounds, driveways and parking areas, approximately 20 –23 feet of fill dirt will be required across the bulk of the property. This is an unacceptable additional expense and constitutes a condition of excessive grading. In fact, the Montgomery County Council has in the past directed the Board of Education to ensure that any proposed dedicated school sites are usable and will not require major expense to develop. Since

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Department of Facilities Management  
7361 Calhoun Place – Suite 400  
Rockville, Maryland 20855



May 2, 2002

## MEMORANDUM

TO: Wynn Witthans  
Development Review Division

FROM: Cathy Conlon *CAC*  
Countywide Planning Division-Environmental Planning

SUBJECT: Clarksburg Town Center, Phase II - Site Plan No. 8-02014

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**Recommendation**

Environmental Planning staff have reviewed the above-referenced plan and required Water Quality Plan. We recommend approval of the Water Quality Plan with the conditions of the MCDPS memo, and approval of the site plan with the following conditions:

1. Development Program to include a phasing schedule as follows:
  - a. Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
  - b. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
  - c. Phasing of site clearing and grading to minimize soil erosion.
  - d. Phasing of stormwater management and forest planting.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
  - a. Undisturbed stream buffers at least 150 to 240 feet wide as shown on the site plan.
  - b. Limits of disturbance.
  - c. Methods and locations of tree protection.
  - d. Forest Conservation areas.

10. Environmental Planning staff must review and approve final grading and limits of disturbance for the park-school site. If grading encroachment into stream buffers is approved as part of this review, compensation with reforestation planting at a rate of 2:1 will be required. This is in addition to other forest conservation planting requirements.

### **Site Conditions**

The subject property consists of a portion of the town center site which is located at the headwaters of one of the main branches of Little Seneca Creek, a Use Class IV-P stream. A large part of the site is existing agricultural field. Approximately 9 acres of wetland, 15 acres of floodplain, and 54 acres of forest exist within or in proximity to the stream valleys. The portion of the site covered by this site plan contains two tributary streams. On-site topography slopes significantly from the high point of this section of the plan down to the stream valleys. The stream valleys are moderately steep.

### **Discussion of Environmental Findings**

#### Special Protection Area Guidelines

The Board has adopted guidelines for Park and Planning Department review of projects within SPA's. These guidelines focus on expanding wetland buffers, expanding and accelerating forest conservation opportunities, and limiting site imperviousness levels. They have been addressed by the site plan in the following manner:

**BUFFERS** – Stream buffers per the Environmental Guidelines and priority forest conservation areas have been protected with the exception of unavoidable intrusions to tie out grading from a few lots and on the park-school site. The intrusions occur in unforested areas and have been minimized. Mitigation for the impacts will be provided by 2:1 reforestation.

**FORESTATION** – All unforested stream buffers will be reforested using larger stock to minimize the time to canopy closure. A 5-year maintenance program is required to better ensure survival of the planting.

**IMPERVIOUSNESS** – Imperviousness within the town center far exceeds the level which is desirable in the headwaters of a sensitive watershed such as Little Seneca Creek. Maximum effort has been made to reduce the amount of imperviousness given the proposed development pattern. Hope for reducing the impact of the excessive impervious surfaces lies in providing extraordinary stormwater management facilities and BMP's for all runoff from these surfaces.

levels within all of the units along this roadway will be addressed by appropriate building design and construction.

#### Forest Conservation

The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation. Requirements for this phase of the development include preservation of existing forest within and adjacent to the greenway, and reforestation of the unforested stream buffer areas on the entire site. The forest conservation areas will be protected either by park dedication or Category I conservation easement. In addition to the reforestation required by the law, reforestation is required to mitigate for encroachments into the stream buffers with grading as mentioned above. This reforestation will be provided at a rate of two times the areas of encroachment.

#### Conformance to the Clarksburg Master Plan

The master plan objectives for development within the Little Seneca Creek watershed include continuously forested buffers, protection and enhancement of wetland systems, water quality monitoring, environmentally sensitive design and construction of development and infrastructure, and maintenance of the environmental qualities of headwaters. The site plan attempts to address these by providing enhanced reforestation in stream valleys and complying with the rigorous stormwater management and water quality standards of the SPA.

Page 2 -- Wynn Withans - Clarksburg Town Center Phase II - May 2, 2002

- Block N -- the street block adjacent to Lots 39-42 must be private since its only egress is via an alley on the north. We recommend that a waiver be granted to allow single-family houses on a private street. The loop road around the central square should be shown as one-way counterclockwise. A horizontal curvature waiver is needed for the curve on the southwest corner of the square.
- Block M -- the loop road around the square will need a horizontal curvature waiver. However, the radius on the curve on the east corner still needs to be increased. The loop road around the square should be shown to operate one-way counterclockwise.
- Grapevine Ridge Road will operate one-way northbound; this should be shown on the plan. The chokers at either end of Grapevine Ridge Road south of Clarksburg Square Road should be eliminated.
- Curb ramps at intersections must meet MCDPWT and ADA dimensions; this may require some additional right-of-way (truncation) at some intersections. The attached drawing shows that where truncations are not provided on tertiary streets, the required space to install the six foot long ramp, a five foot level sidewalk area and one foot of clearance to the property line is not available.

We appreciate the opportunity to comment on this plan.

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cc: Tracy Graves  
Les Powell  
Greg Leck



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date of mailing: March 26, 1996

MONTGOMERY COUNTY PLANNING BOARD  
REVISED OPINION

Preliminary Plan No.: #1-95042  
Name of Plan: Clarksburg Town Center

Action: Approval, subject to conditions. (Motion by Commissioner Aron; seconded by Commissioner Holmes; with a vote of 5 to 0, Commissioners Aron, Holmes, Hussmann, Baptiste and Richardson voting in favor of the motion).

INTRODUCTION

On September 28, 1995, the Montgomery County Planning Board ("Board") held a public hearing to consider Preliminary Plan 1-95042, an application for subdivision approval in the RMX-2 zone. The proposed uses include residential, retail and commercial development. The Applicants, Piedmont & Clarksburg Associates, proposed to create 834 lots on 267.50 acres of land.

At the hearing, the Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented, the Board finds Preliminary Plan 1-95042 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-95042, subject to the conditions listed at the end of this opinion.

BACKGROUND

The property is located northeast of Maryland Route 355 between Clarksburg Road and Stringtown Road (A-260 on the Master Plan). Piedmont Road crosses through the northern portion of the property. The Applicant proposes construction of 1,300 dwelling units, including townhomes, multi-family and single-family residences. The proposal also includes 150,000 square feet of retail space and 100,000 square feet of office/development space.

The underlying development authority, Project Plan No. 9-94004, was approved by the Planning Board on May 11, 1995, after two prior Planning Board meetings (held on April 6 and 20, 1995). The record for Preliminary Plan 1-95042 specifically includes the records from those prior hearings.

anticipated revenue must be added to the capital gap, with a total estimated funding gap of approximately \$126 million. Staff thus estimated the Applicant's share of this infrastructure to be approximately 10 percent, or \$12.5 million, with no County or State input. The Planning Board concluded that the Stringtown Road improvement, which will be the responsibility of the applicant, represents the current best estimate of the Town Center's share of the Master Plan road infrastructure (as more particularly identified in revised traffic staff memo of 09/26/95.)

Staff noted that if the Council adopts an impact tax or other alternative road infrastructure funding mechanism, then the Applicant's contribution (in the form of improvements to Stringtown Road) will be assessed and, if found lacking, will be augmented by additional tax requirements. The Board determined that the infrastructure schemes proposed by the Master Plan are legislative in nature, will be implemented by the Council, and may or may not grandfather development predating any such legislation. The Board concluded that to anticipate the Council's actions would be presumptive, and premature.

MCDOT has requested that the hiker/biker trail shown in the Clarksburg Master Plan along Stringtown Road (A-260) be constructed along P-5 from Frederick Road (MD 355) to Piedmont Road (A-305), in lieu of the Master Plan Alignment. The developer has agreed to construct the hiker/biker trail along P-5.

Applicant also will be required to dedicate approximately 8 acres of land for a future school site, to be used in the interim as public parkland. At the time the school is developed, if ever, the parkland adjoining the school site will be jointly used as school athletic facilities and public parkland under an easement agreement between The Maryland-National Capital Park and Planning Commission and Montgomery County Public Schools (MCPS). MCPS staff asked that the entire future school site (10-12 acres) be dedicated to MCPS at this time. Under normal circumstances this would be the usual procedure. In this instance, however, staff recommended and the Board agreed that within the Clarksburg Town Center, a planned park/school site provides a more efficient use of land than separate facilities. In addition, if the land ultimately is not needed as a school site, then the land should be retained as public parkland. The Board determined that this joint use, with the recreational facilities remaining under The Maryland-National Capital Park and Planning Commission ownership, would afford the most efficient public use of the land.

Therefore, with all of the evidence heard and all testimony taken, The Planning Board, approved the plan, including (1) waiver of the distance between intersections requirements as contained in Section 50-26 of the Subdivision Regulations and (2) approval of closed street sections subject to MCDOT approval. The approval is subject to the following conditions:

- (a) M-NCPPC and the Applicant will enter into an agreement specifying that an exchange of land, identified as areas "B1" and "B2" on the park/school concept drawing set out on Circle Page 49 of the staff report, will occur prior to the execution of the Site Plan Enforcement Agreement.
- (b) Dedication of the approximately 8 acre area, identified as area "A" on the same park/school concept drawing identified above, will occur either at the time of recordation of the plats for the adjacent phase of the project or at such time as funds for construction of the future elementary school are added to the County CIP, whichever occurs first.
- c) The Applicant will provide site grading, infield preparation and seeding of the replacement athletic fields on the approximately 8 acres of dedicated land at a time which insures that there will be no disruption in the continued use of the existing athletic fields prior to completion of the replacement athletic fields.
  - (i) In the event that dedication occurs when funds for the proposed school are shown in the CIP, Applicant will complete work on the replacement fields prior to the construction of the proposed school.
  - (ii) In the event that dedication occurs prior to funding for the school being shown in the CIP, then upon construction of Street "F", as shown on the revised preliminary plan, Applicant will commence work on replacement of the baseball field. In addition, if at site plan it is determined that there is sufficient earth material on site to construct both replacement fields, then Applicant will also rough grade and seed the replacement soccer field when construction of Street "F" begins. Area tabulations for the proposed park/school complexes to be submitted for technical staff review at site plan. Final grading plan for the park/school site to be submitted for technical staff approval as part of the site plan application.

7. In accordance with Condition #6 above, Applicant to enter into an agreement with the Planning Board to provide for site grading, infield preparation and seeding of the replacement athletic fields in accordance with Parks Department specifications, as shown on the preliminary plan drawing, and as specified in the Department of Parks' Memorandum dated September 22, 1995. The construction of

- (c) After the 400th building permit, the developer has two options:
- 1) Construction of A-260 from MD 355 to the southern access road of the commercial site (commercial access road between A-260 and P-5) and construction of P-5 across the stream valley into the residential area north of stream valley.
  - 2) Construction of A-260 from MD 355 to the northern access road of the residential development and construction of a northbound right-turn lane along MD 355 at A-260 should be included in this phase.
- (d) After the 800th building permit, the developer must start construction of remaining section of A-260 to A-305, and intersection improvements at MD 355 and MD 121 to construct eastbound & westbound left-turn lanes along MD 121.
- (e) Construction of A-305 from A-260 to MD 121 must begin when the developer starts building any of the residential units on blocks 11, 12, 13, and the northern half of block 10.
17. This preliminary plan will remain valid until March 26, 2005. (9 years and 1 month from the date of mailing which is February 26, 1996). The recordation of plats shall occur in accordance with the phasing identified in Condition 1(b) of this opinion, and as further stipulated in the Planning Board's approval of the phase 1 site plan review. Prior to the expiration of the validity period for each phase, a final record plat for all property delineated in a particular phase must be recorded or a request for an extension must be filed. The first phase of the preliminary plan must be recorded by March 26, 1999 or a request for an extension must be filed.

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## CONDITIONS

The Planning Board approves Project Plan No. 9-94004 subject to the following conditions:

### 1. Development Ceiling

The project plan for the Clarksburg Town Center is limited to 1300 dwelling units, 150,000 square feet of retail space, and 100,000 square feet of office space to be constructed in three basic phases as shown in the project plan. The following is the staging plan for traffic improvements:

- a. Stage 1 - 950 Units
- b. Stage 2 - 155 Units
- c. Stage 3 - 195 Units
  - 90,000 Square Feet of Retail
- d. Stage 4 - 60,000 Square Feet of Retail
  - 75,000 Square Feet of Office
- e. Stage 5 - 25,000 Square Feet of Office

The public building areas (i.e., elementary school, park buildings, and library) are not included in the calculations.

### 2. Transportation Improvements

The following road improvements, at each stage of development, are needed to provide enough capacity to serve the proposed development:

- a. Stage 1 - Reconstruction of the southbound right turn lane along MD 355 at MD 121 to provide a "free flowing" movement.
- b. Stage 2 - Construct an eastbound left turn lane along MD 121 at MD 355.
  - Construct a westbound left turn lane along MD 121 at MD 355.
- c. Stage 4 - Construct a northbound right turn lane along MD 355 at Stringtown Road.
- d. Stage 5 - Restripe eastbound Comus Road to provide exclusive left turn lane at MD 355.
- e. A-260 (Stringtown Road) must be dedicated to a right-of-way of 120 feet. At the preliminary plan, if determined that the property is not part of a participation agreement with MCDOT and other property owners, the safety improvements described in paragraph 4., will be made to Stringtown Road.

**5. Environmental Improvements Before Approval of the Preliminary Plan**

Submit for review before the Planning Board hearing on the preliminary plan the following:

- a. Concept plan for the proposed SWM facilities and roads near or in stream buffer, and associated grading, with indication of where tree planting is permitted.
- b. A staging plan for SWM with the extent of each proposed phase of development and the order in which they will be built. This shall be submitted as part of the first site plan, and should cover the entire site.
- c. A preliminary forest conservation plan addressing priority for planting in the Little Seneca watershed. As site plans for each portion of the site that abut afforestation areas are submitted, detailed afforestation plans for that section will be provided. Within each area of development, planting shall occur as early as practicable given land development activity constraints in accordance with logical staging concepts. Forestation requirements will be satisfied first in Little Seneca basin on-site, then in the Little Bennett basin on-site, then in stream buffer areas in Little Seneca off-site if the land is made available, and if a good faith effort to arrange such land availability fails, then elsewhere on the site.
- d. Applicant shall meet all requirements for preliminary water quality plan submission and approval, per Chapter 19, Article V - "Water Quality Review in Special Protection Areas" (proposed monitoring plan may be submitted as part of the review of the site plan). Location of units, roads, and other layout concerns will be subject to the final water quality regulations.

**6. Environmental Improvements**

- a. Minimize disturbance in the stream buffer except for road crossings, unavoidable utilities, SWM locations adjoining the town center retail area and greenway road, soft surface pathways, and memorial elements.
- b. As part of the preliminary plan, provide an area within the applicant's stormwater management facilities for stormwater management for the school site.

## 10. Revise the Layout of Streets

Incorporate the following items into the site plans for each stage of development:

- a. Improvements to the Town Square - Increase the size of the Town Square by utilizing a loop concept as shown on the revised drawing to reduce conflicts with east/west traffic and to improve pedestrian access.
- b. Relocate A-260 (Stringtown Road) in accordance with the revised alignment diagram to reduce the impact on adjacent residences. Reduce the number of access streets to A-260 from the area of the existing single family detached units (5) on the north side of Stringtown Road to meet the design standards for arterial roads.
- c. Eliminate the access to the proposed elementary school from MD 121 and provide access from the Greenway Road.
- d. Revise the access to A-305 (Mid-County Highway) to allow a direct connection from Burnt Hill Road to the Greenway Road, and improve the access to the single family detached units by utilizing private drives adjacent to A-305.

The present street system shown in the project plan requires waivers of existing standards. The applicant and staff have met with MCDOT to discuss the waivers. All waivers must receive final approval from MCDOT before approval of the site plan.

## 11. Staging of Amenities

All amenities shown within each stage of development must be completed within that stage of development. The concept design for the greenway, the school/park, and other large play fields, must be completed before approval of the first site plan.

Construction of the amenities within the greenway must be finalized before the completion of Stage 3.

## 12. Landscaping

The following items must be incorporated into the site plans:

- a. Street trees, high quality street lights, sidewalk paving types, and street furniture as part of the design for the streetscape of roads, the Town Square, and the neighborhood squares)

## **FINDINGS**

### **1. Conforms with the Requirements and Intent of the RMX-2 Zone**

The Planning Board finds that Project Plan #9-94004, as conditioned, meets all of the purposes and requirements of the RMX-2 Zone. A summary follows that compares the development standards shown with the development standards required in the RMX-2 Zone.



The setback of residential buildings next to the Clarksburg Historic District must be modified to have a minimum setback of 50 feet.

**2. Conforms to the Clarksburg Master Plan and Hyattstown Special Study Area**

The Planning Board finds that Project Plan #9-94004, as conditioned, is in conformance with the Approved and Adopted Clarksburg Master Plan and Hyattstown Special Study Area. The land use, circulation, and urban design objectives described in the Master Plan have been met by the Clarksburg Town Center. The mix of dwelling units conforms to the guidelines in the master plan as summarized in the following chart:

| Unit Types |                                       | Master Plan Guidelines | Proposed Density Range |
|------------|---------------------------------------|------------------------|------------------------|
| a.         | Single family detached units          | 10-20%                 | 130-260 Units          |
| b.         | Single family attached and townhouses | 30-50%                 | 390-650 Units          |
| c.         | Multi-family units                    | 25-45%                 | 325-585 Units          |

**3. Compatibility with the Neighborhood**

The Planning Board finds that the project plan, as conditioned, will be compatible with the existing and potential development in the general neighborhood because of its location, size, intensity, staging, and operational characteristics.

**4. Will Not Overburden Existing or Proposed Public Services**

The Planning Board finds that the proposed development, subject to its compliance of any requirements imposed by the preliminary plan will not overburden existing public services nor those programmed for availability, concurrently with each stage of development. Since approval of the project plan does not determine authorization or prevent other developments from proceeding, the Planning Board approves the project plan with the understanding that final authorization is dependent on the finding that Clarksburg Town Center will not preclude development of the Germantown Town Center.

**5. Is More Efficient and Desirable than the Standard Method of Development**

The Planning Board finds that the proposed project, as conditioned, will be more efficient and desirable than the standard method of development. This optional method project consists of a mix of uses which are recommended in the Master Plan. These uses are not permitted under the standard method of development.

The amenities and facilities provided as part of the optional method of development fosters the creation of a transit and pedestrian oriented town surrounded by open space. The green way network of amenities provides a major open feature. The town